

To the office of U.S. Senator Eric Schmitt

Re: SJRES 206 (119th Congress), A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Environmental Protection Agency relating to "California State Motor Vehicle Pollution Control Standards; Notice of Decision Granting a Waiver of Clean Air Act Preemption for California's 2009 and Subsequent Model Year Greenhouse Gas Emission Standards for New Motor Vehicles". • Latest action (2026-08-05): Read twice and referred to the Committee on Environment and Public Works.

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National Vehicle Emissions Uniformity Act of 2025

The measure, as described from the official record: To use the Congressional Review Act to nullify the EPA's waiver allowing California to set its own greenhouse gas emission standards for new motor vehicles, thereby restoring a single national standard.

THE PROPOSAL

Section 1. Purpose. This Act establishes a single, nationally uniform greenhouse gas emission standard for new motor vehicles sold in the United States, effective for model year 2028 and thereafter. The standard shall be set by the Administrator of the Environmental Protection Agency (EPA) in consultation with the Secretary of Transportation, and shall be based on the best available science, cost-effectiveness, and feasibility. The standard shall be at least as stringent as the California standard in effect on January 1, 2025, to ensure continued environmental progress.

Section 2. Preemption. Beginning with model year 2028, no State or political subdivision thereof may adopt or enforce any standard for the control of greenhouse gas emissions from new motor vehicles that is different from the national standard established under this Act. The EPA's waiver authority under section 209 of the Clean Air Act (42 U.S.C. § 7543) is hereby repealed for greenhouse gas emissions, effective upon enactment.

Section 3. Transition Assistance. To support States in adjusting to the single national standard, the EPA shall establish a \$500 million grant program, funded by a 0.1% surcharge on the sale of new motor vehicles, to be distributed to States based on their share of the national vehicle market. Grants may be used for infrastructure, workforce training, or consumer incentives related to low-emission vehicles.

Section 4. Oversight. The Government Accountability Office (GAO) shall review the national standard every three years and report to Congress on its effectiveness, economic impact, and consistency with the Clean Air Act. The EPA shall update the standard as necessary to reflect technological advances, but no more frequently than every five years.

Section 5. Enforcement. The Attorney General may bring a civil action in federal district court against any State or entity that violates the preemption provision of this Act. Remedies may

include injunctive relief and a civil penalty of up to \$10,000 per day per violation.

Section 6. Effective Date and Sunset. This Act shall take effect 180 days after enactment. The preemption provisions and the national standard shall sunset 15 years after enactment, unless Congress reauthorizes them by joint resolution.

OPERATIVE PROVISIONS (VFA PROPOSAL)

Funding Source	0.1% surcharge on the sale of new motor vehicles (private sales exempt).
Funding Amount	\$500 million over 5 years, authorized to be appropriated from the surcharge revenues.
Sunset Years	15 years
Oversight Body	Government Accountability Office (GAO), with reports to Congress every 3 years.
Enforcement Mechanism	Civil action by the Attorney General in federal district court; injunctive relief and civil penalty up to \$10,000/day per violation.
Effective Date	180 days after enactment; national standard applies to model year 2028 vehicles.

CONSTITUTIONAL BASIS

- Article I, Section 8, Clause 3 (Commerce Clause)
- Clean Air Act § 209 (42 U.S.C. § 7543) – preemption authority
- Tenth Amendment – respecting state sovereignty by providing transition assistance and sunset

Concerns with the measure as written:

- The Clean Air Act's waiver provision (42 U.S.C. § 7543) is a valid exercise of Commerce Clause power, but the resulting patchwork of state standards may burden interstate commerce beyond what is necessary.
- The Tenth Amendment is implicated because the waiver permits California to effectively dictate national policy, but the CRA resolution itself is a proper exercise of Congress's legislative oversight under Article I.

WHY BOTH SIDES CAN BACK IT (VFA'S ASSESSMENT)

Democratic priorities: (1) maintains a strong, science-based national standard that is at least as stringent as California's current standard, avoiding a rollback of climate progress; (2) includes transition assistance for states to adopt the national standard. Republican priorities: (1) eliminates the patchwork of state standards, providing regulatory certainty for automakers and consumers; (2) uses a market-based funding mechanism (surcharge) rather than general revenue; (3) includes a sunset to ensure periodic congressional review.

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